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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Brines et al.

Confirmation No.: 6595

Application No.: 09/716,960

Group Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: METHODS FOR TREATMENT OF  
NEURODEGENERATIVE CONDITIONS BY  
PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN

Attorney Docket No.: 10165-009-999

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.56 and §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed February 1, 2007 and in accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references EI-FI listed on the attached revised form PTO 1449. Copies of references EI-FI are provided herewith.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO 1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a revised form PTO 1449 entitled "List of References Cited" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

08/06/2007 TLUU11 00000013 503013 09716960

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Pursuant to 37 C.F.R. § 1.97(c)(2), Applicants estimate that a fee of \$180.00 is due in connection with the filing of this Information Disclosure Statement. The Patent Office is authorized to charge the required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed for accounting purposes.

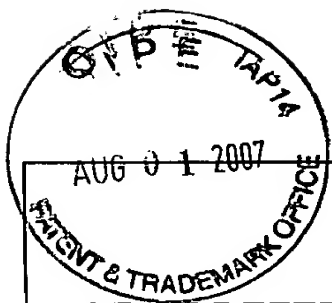
Respectfully submitted,

Date: August 01, 2007

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Laura A. Coruzzi (Reg. No.)

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Eileen E. Falvey (Reg. No.)

Enclosure



**LIST OF REFERENCES CITED BY APPLICANT**  
(Use several sheets if necessary)

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**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
	EI	2002/0052309	05/02/02	Anagnostou et al.	
	EJ	Patent Interference No. 105,500	10/02/06	Ehrenreich v. Brines Interference: Judgment Paper 1, Declaration, Brines clean copy of claims, and Ehrenreich clean copy of claims	

**FOREIGN PATENT DOCUMENTS**

		FOREIGN PATENT DOCUMENT COUNTRY CODE, NUMBER, KIND CODE (IF KNOWN)	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T
	EK	WO 98/10650	03/19/98	East Carolina University		

**NON PATENT LITERATURE DOCUMENTS**

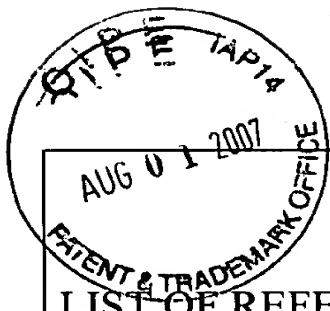
Examiner Initials		(Include name of the author (in CAPITAL LETTERS), Title, Date, Pertinent Pages, Etc.)	T
	EL	ANAGNOSTOU et al., 1994, "Erythropoietin receptor mRNA expression in human endothelial cells", Proc. Natl. Acad. Sci. USA 91:3974-3978	
	EM	BENYO AND CONRAD, 1999, "Expression of erythropoietin receptor by trophoblast cells in the human placenta", Biol. Reproduct. 60:861-870	
	EN	BERNAUDIN et al., 2000, Neurons and astrocytes express EPO mRNA: oxygen-sensing mechanisms that involve the redox-state of the brain", Glia 30:271-278	
	EO	EHRENREICH et al., 2002, "Erythropoietin therapy for acute stroke is both safe and beneficial", Molec. Med., 8(8):495-505	
	EP	FARRELL et al., 2001, "Erythropoietin crosses the blood brain barrier", Blood 98:148b (abstr. # 4265; 43 <sup>rd</sup> Annual Meeting of the American Society of Hematology, Orlando FL, Dec. 7-11, 2001)	
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	ER	GRASSO et al., 2002, "Beneficial effects of systemic administration of recombinant human erythropoietin in rabbits subjected to subarachnoid hemorrhage", Proc. Natl. Acad. Sci. USA 99:5627-5631	
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	EU	JUUL et al., 1998, "Tissue distribution of erythropoietin and erythropoietin receptor in the developing human fetus", Early Human Devel. 52:235-249	
	EV	JUUL et al., 2001, "Recombinant erythropoietin (EPO) crosses the blood brain barrier (BBB) in preterm fetal sheep", Soc. for Neuroscience Abstracts 27:929 (31 <sup>st</sup> Annual Meeting of the Society for Neuroscience, San	

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	APPLICANT <b>Brines et al.</b>	
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		Diego, CA Nov. 10-15, 2001)	
	EW	LI et al., 1996, "Erythropoietin receptors are expressed in the central nervous system of mid-trimester human fetuses", <u>Pediatr. Res.</u> <b>40</b> :376-380	
	EX	LIU et al., 1996, "Transgenic mice containing the human erythropoietin receptor gene exhibit correct hematopoietic and neural expression", <u>Proc. Assoc. Am. Physicians</u> <b>108</b> :449-454	
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	EZ	OKADA et al., 1996, "Erythropoietin stimulates proliferation of rat-cultured gastric mucosal cells", <u>Digestion</u> <b>57</b> :328-332	
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